

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ishey OSTFELD et al

Application No.: 10/074,917

Filed: February 14, 2002

For: INDWELLING DEVICE

Confirmation No.: 6828

Customer Window, Mail Stop
THE COMMISSIONER OF PATENTS AND TRADEMARKS
Arlington, VA 22202



Art Unit: 3763

Examiner: L. KONTOS

Washington, D.C.

Atty.'s Docket: OSTFELD=1

Date: November 21, 2003

Sir,

Transmitted herewith is a [X] REPLY: AMENDMENT AND REMARKS in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
[] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 59	MINUS	** 58		1
INDEP.	* 6	MINUS	*** 3		3
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$ 9.00
x 43	\$ 129.00
+ 145	\$
ADDITIONAL FEE TOTAL	
\$ 138.00	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 88	\$
+ 290	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[X] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[X] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
[X] Second - \$ 210.00
[] Third - \$ 475.00
[] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
[] Second - \$ 420.00
[] Third - \$ 850.00
[] Fourth - \$ 1,460.00

Month After Time Period Set

- [] Late fees (\$) already paid for month(s) extension of time on

- [] Please charge my Deposit Account No. 02-4035 in the amount of \$

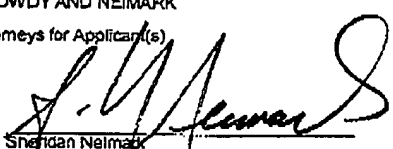
- [X] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 348.00.

- [] A check in the amount of \$ is attached (check no.).

- [X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By: 
Sheridan Neimark
Registration No. 20,620

Facsimile: (202) 737-3528
Telephone: (202) 620-197

SHERIDAN NEIMARK
ROGER L. BROWDY
ANNE M. KORNBAU
NORMAN J. LATKER
DIANA MICHELLE SOBO
AOI NAWASHIRO
OF COUNSEL
IVER R. COOPER
JAY M. FINKELSTEIN

BROWDY AND NEIMARK, P.L.L.C.
ATTORNEYS AT LAW
PATENT AND TRADEMARK CAUSES
SUITE 300
924 NINTH STREET, N.W.
WASHINGTON, D. C. 20001-5303
TELEPHONE (202)-628-5197

ALVIN BROWDY (1017-1098)
PATENT AGENT
ALLEN C. YUN, PH.D.
TELESCOPE FACSIMILE
(202) 737-3528
(202) 363-1012
E-MAIL
mail@browdynemark.com

TELEFAX CONTROL SHEET

SENT TO: Ex Kostas (303) 872-9302DATE SENT: January 2, 2004SUBJECT: 10/034,617No. of pages (including this cover sheet): 29FROM: Janis Abbott - secretary

Remarks:

Here is the amendment filed Nov. 21, 2003, with postcard
receipt (w/ payment form)

Browdy + Neimark

RECEIVED
CENTRAL FAX CENTER

JAN 02 2004

OFFICIAL

CONFIDENTIALITY NOTE
This confidential facsimile message is intended only for the individual entity named above, and may contain information that is privileged and exempt from disclosure under applicable law. If you, the reader of this message, are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you should not copy this facsimile or distribute it to anyone other than the intended recipient. In addition, if you have received this telecopy in error, please immediately notify us by telephone or telefax and return the original message to us at the address above via the United States Postal Service. Finally, if it would not inconvenience you, we would appreciate it if you would first refax this message to the intended recipient. Thank you.

If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdynemark.com, or call our voice telephone no. 202-628-5197.

APPLICATION/PATENT NO: 10/034,617
DOCKET NO: 025112.01

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

- ☒ FEES \$ 345.00
☒ PTO FORM 2038 ☐ (CH. # _____)
☒ EXTENSION OF TIME (2 MONTHS)
☒ TRANSMITTAL LETTER
☐ MISSING PARTS RESPONSE WITH DECL
☒ AMENDMENT/RESPONSE (circle one)
☐ PRELIMINARY ☐ SUPPLEMENTAL
☐ APPLICATION DATA SHEET
☐ RESTRICTION/ELECTION REPLY
☐ SEQUENCE LISTING ☐ WITH DISK
☐ ROE / CRA TRANSMITTAL (circle one)
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF (TRIPPLICATE)
☐ REPLY BRIEF (TRIPPLICATE)
☐ OTHER _____

65N-1

CONF. NO.: 025112
CLIENT CODE: 00001



- ☐ ASSIGNMENT
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM SB08A & _____ PATENTS/PUBS
☐ PRIORITY DOCUMENT(S) NO. _____
☐ DECLARATION UNDER §
☐ LETTER TO DRAFTSMAN
☐ SHEETS OF DRAWINGS
☐ ISSUE FEE TRANSMITTAL FORM
☐ MAINTENANCE FEE LETTER